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MEMO ENDORSED

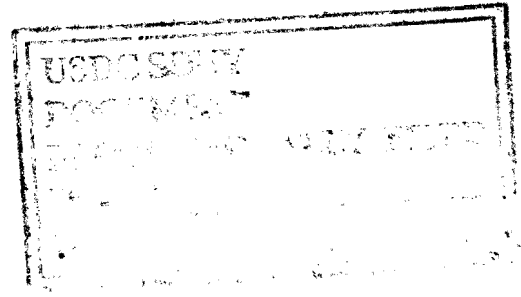
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October 26, 2010

VIA FACSIMILE

Hon. George A. Yanthis
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601



Re: Maxwell v. Relin, et al.
7:10-cv-00395-GAY.

Dear Judge Yanthis:

I am writing concerning the fairness hearing which is scheduled for this Wednesday October 27, 2010 in this matter. I have spoken with the plaintiff's attorney, Robert Arleo, on a number of occasions regarding the fact that there have not been any objections communicated either orally or in writing to him or to this office. Consequently, we anticipate there will be no objections to the settlement.

In light of the fact that we do not anticipate objections, I respectfully request the Court that I be permitted to participate at the hearing by telephone. I have spoken with Mr. Arleo, and he does not have an objection to this.

Respectfully,

D.R. McCoy
Dennis R. McCoy

DRM:kl

cc: Robert L. Arleo, Esq.
(via electronic mail)

Granted

SO ORDERED:

George A. Yanthis

10/26/10

George A. Yanthis
United States Magistrate Judge.

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